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Attorneys for Defendants

MEDTRONIC, INC.,

MEDTRONIC USA, INC.,

MEDTRONIC PUERTO RICO OPERATIONS, CO., and

MEDTRONIC LOGISTICS, LLC

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

NANCY KILMER

Plaintiff,

v.

MEDTRONIC, INC., MEDTRONIC USA,
INC.; MEDTRONIC PUERTO RICO
OPERATIONS, CO., and, MEDTRONIC
LOGISTICS, LLC,

Defendants.

Case No.: 1:20-CV-01277-AWI-HBK

**JOINT STIPULATION AND [~~PROPOSED~~]
ORDER TO CONTINUE DEFENDANTS'
DEADLINE TO FILE ANSWER TO
PLAINTIFF'S COMPLAINT**

Assigned to Hon. Anthony W. Ishii

1 Plaintiff Nancy Kilmer and Defendants Medtronic, Inc., Medtronic USA, Inc., Medtronic Puerto
2 Rico Operations Co., and Medtronic Logistics, LLC (“Medtronic”) (collectively, the “Parties”), by and
3 through their respective attorneys of record, hereby submit the following Joint Stipulation to the Court:

4 **WHEREAS**, Medtronic moved to dismiss Plaintiff’s Complaint on November 9, 2020 (Dkt. 14),
5 Plaintiff filed her Opposition on November 30, 2020 (Dkt. 20), and Medtronic filed its Reply on December
6 14, 2020 (Dkt. 25).

7 **WHEREAS**, on April 13, 2021, the Court entered an Order granting in part and denying in part
8 Medtronic’s Motion to Dismiss (Dkt. 30) (hereinafter, the “Order”).

9 **WHEREAS**, the Order granted Plaintiff leave to file an amended complaint no later than May 13,
10 2021 (Dkt. 30 at 20:19-20);

11 **WHEREAS**, Plaintiff has not filed an amended complaint on or before the May 13, 2021 deadline;

12 **WHEREAS**, Medtronic seeks to file an Answer to the remaining causes of action in Plaintiff’s
13 original Complaint;

14 **WHEREAS**, the Parties have conferred and agree to continue the deadline for Medtronic to the
15 remaining causes of action in Plaintiff’s original Complaint by 14 days to May 27, 2021.

16 **WHEREAS**, there have been no prior continuances of the Answer deadline requested by either
17 Party in this litigation.

18 **NOW, THEREFORE**, the Parties agree and request that the deadline for Medtronic to file an
19 Answer to the remaining causes of action in Plaintiff’s original Complaint be continued by 14 days to May
20 27, 2021.

21 **IT IS SO STIPULATED.**

22 DATED: May 14, 2021

GREENBERG TRAURIG, LLP

24 By /s/ Anna Yeung
25 Anna Yeung
Sara K. Thompson

26 Attorneys for Defendants
27 MEDTRONIC, INC., MEDTRONIC USA, INC.,
28 MEDTRONIC PUERTO RICO OPERATIONS, CO.,
and MEDTRONIC LOGISTICS, LLC

1 DATED: May 14, 2021

MARTIN BAUGHMAN, PLLC
VAN WEY LAW, PLLC

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3 By /s/ Laura J. Baughman

4 Laura J. Baughman
5 Ellen A. Presby

6 Attorneys for Plaintiff
7 NANCY KILMER
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PROPOSED ORDER

The Court, having reviewed the stipulation of the parties and finding good cause, hereby orders that the deadline for Defendants Medtronic, Inc., Medtronic USA, Inc., Medtronic Puerto Rico Operations Co., and Medtronic Logistics, LLC to file an answer to the remaining causes of action in Plaintiff's original Complaint shall be continued to May 27, 2021.

IT IS SO ORDERED.

Dated: May 14, 2021



SENIOR DISTRICT JUDGE